

JOHN F. COOK
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

MINUTES
SPECIAL CITY COUNCIL MEETING
10TH FLOOR CONFERENCE ROOM
October 31, 2005
4:00 P.M.

The City Council met at the above place and date at approximately 4:10 p.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call:

Ann Morgan Lilly
Jose Alexandro Lozano
Steve Ortega
Beto O'Rourke

Late Arrivals:
None

Not Present:

Susie Byrd
Melina Castro
Presi Ortega, Jr.
Eddie Holguin, Jr.

AGENDA

City Council Agenda for November 1, 2005 (attached).

The City Manager, City Department Heads and Staff presented to Council Members short briefings on the agenda items for the City Council Agenda for November 1, 2005 and answered the questions of Council Members.

Motion made by Beto O'Rourke, seconded by Steve Ortega and unanimously carried to adjourn this meeting at 4:51p.m.

APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk

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**AGENDA FOR
REGULAR COUNCIL MEETING, COUNCIL CHAMBERS
TUESDAY, NOVEMBER 1, 2005
9:00 A.M.**

AND

**SPECIAL COUNCIL MEETING/COUNCIL WORK SESSION
COUNCIL/STAFF QUESTION AND ANSWER SESSION
10TH FLOOR, CONFERENCE ROOM
MONDAY, OCTOBER 31, 2005
4:00 P.M.**

ROLL CALL

Invocation – Police Chaplain Ellen Fenter
Pledge of Allegiance

MAYOR'S PROCLAMATIONS

1. HAMPTON UNIVERSITY WEEKEND
2. NATIONAL ALZHEIMER DISEASE MONTH
3. RECOGNITION OF CITY EMPLOYEES FOR YEARS OF SERVICE

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/city_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

NOTICE TO THE PUBLIC

All matters listed under the CONSENT AGENDA, including those on the Addition to the Agenda, will be considered by City Council to be routine and will be enacted by one motion unless separate discussion is requested by Council Members. Prior to the vote, members of the audience may ask questions regarding items on the consent agenda. When the vote has been taken, if an item has not been called out for separate discussion, the item has been approved. Council may, however, reconsider any item at any time during the meeting.

CONSENT AGENDA

1. APPROVAL OF MINUTES: [Municipal Clerk, Richarda Duffy Momsen, (915) 541-4127]

Approval of Minutes for the Regular City Council Meeting of October 25, 2005 and the Special City Council Meetings of October 24, (Development Process) and October 24, (Agenda Review), 2005.

2. REQUEST TO EXCUSE ABSENT CITY COUNCIL MEMBERS:

3. RESOLUTIONS:

3A. That the City Manager be authorized to sign a Seventh Amendment to the Facilities Management and Tourism Agreement between the City of El Paso and SMG to provide for an additional year of management and operation services of the Visitor's Information Center located within the Airport Terminal Building at the El Paso International Airport. **(District 3)** [Airport, Patrick T. Abeln, (915) 780-4724]

3B. Establishing a new Screening Committee for the review of applications for appointments to the El Paso Mental Health/Mental Retardation Community Center and repealing the prior resolution of the Council dated April 24, 2001. [Community and Human Development, Natalie Prise, (915) 541-4897]

3C. That the City Manager be authorized to sign a Contract between the CITY OF EL PASO and WILLIAM L. LILLY, JR., to assist the Community and Human Development Department as a Neighborhood Services Manager at a biweekly rate of \$3,076.80 for 40 hours per week. The term of the contract shall be for the period of December 5, 2005 through December 4, 2006.
Fund Source: 71150047-10044-71000-G7131CD0002 & 71010278-01101-71000
Community and Human Development, Nathalie Prise, (915) 541-4643]

3D. That the City Manager be authorized to execute an agreement between the City of El Paso and United American Veterans Organization for the Veterans' Day Parade on November 12, 2005, which constitutes an important public purpose of benefit to the City and citizens of El Paso. The Agreement provides that the City will make available the necessary funds to cover the costs of the on-duty police traffic control assistance, not to exceed thirty-four (34) on-duty police officers and thirty-four (34) vehicles for the parade. **(District 8)**
[Development Services, R. Alan Shubert, (915) 541-4557]

3E. That the City Manager be authorized to sign a Consultant Services Agreement between the CITY OF EL PASO and SUN CITY ANALYTICAL, INC on an "as needed" basis to provide environmental engineering services for an amount not to exceed ONE HUNDRED FIFTY THOUSAND and NO/100 DOLLARS (\$150,000.00). **(All Districts)** [Engineering Department, Rick Conner, (915) 541-4200]

3F. That the City Manager be authorized to sign a Second Amendment to an Agreement for Engineering Services by and between the CITY OF EL PASO and QUANTUM ENGINEERING CONSULTANTS, INC., for a project known as "Indian Place, Wenda Way and Bowen Drive Street and Drainage Improvements" for an amount not to exceed FOUR THOUSAND NINE HUNDRED NINETY-EIGHT and 23/100 DOLLARS (\$4,998.23).
(District 7) [Engineering Department, Rick Conner, (915) 541-4200]

3G. That the City Manger be authorized to sign an Agreement for Engineering Services between the CITY OF EL PASO and FRANK X. SPENCER AND ASSOCIATES, INC., for a project known as "Davis Drive Street and Drainage Improvements Phase I" for an amount not to exceed SEVENTY NINE THOUSAND NINE HUNDRED FORTY-THREE and NO/100 DOLLARS (\$79,943.00). **(District 7)** [Engineering Department, Rick Conner, (915) 541-4200]

3H. That the Mayor is hereby authorized to sign a Letter of Agreement by and between the City of El Paso and the Electric Company regarding the City's acceptance of \$5,867,913 pertaining to Palo Verde Performance Rewards.
[Mayor John F. Cook, (915) 541-4145]

3I. That pursuant to Sections 33.07, 33.08, and 33.11 of the Texas Tax Code, the City hereby authorizes and imposes an additional penalty on delinquent taxes to defray attorneys fees and expenses related to collection of said taxes for tax years 2005 and subsequent years thereafter, in the amount of twenty percent (20%) of the delinquent tax, penalty and interest.
[Tax, Juan Sandoval, (915) 541-4369]

3J. That the City Manager of the City of El Paso (the "City") be authorized to sign that certain Contract for the Collection of Delinquent Taxes entered into by the City, Delgado Acosta Spencer Linebarger & Perez, LLP, a Texas limited liability partnership of attorneys, and Linebarger, Goggan, Blair & Sampson, LLP, a Texas limited liability partnership, effective for all purposes as of the 1st day of November, 2005. [Tax, Juan Sandoval, (915) 541-4369]

3K. That the City Manager be authorized to sign the following Easements without Warranty Deeds from the United States of America to the City of El Paso which will allow the City the following uses on property owned by the United States of America. **(District 8)**

Easement No. GS-07B-99076 Utility Easement
Easement No. GS-07B-99077 Storm Sewer Easement
Easement No. GS-07B-99079 Traffic Counter Easement
Easement No. GS-07B-99080 Overhead Canopy Easement
[Street Department, Daryl W. Cole, (915) 621-6750]

4. Confirm the appointment of Robert D. Andrade for the position of Executive Assistant (Mayor and Council) and that the salary be set at \$55,000 effective November 1, 2005.
[Mayor John F. Cook, (915) 541-4145]

5. Confirm the appointment of Yolanda Alameda as Director of Museums and Cultural Affairs, effective November 30, 2005.
[Deputy City Manager, Quality of Life Services, Deborah Hamlyn, (915) 541-4686]

6. BOARD APPOINTMENTS:

6A. Judge William Moody to the History Museum Board by Mayor John F. Cook.
[Mayor's Office, Matthew Briones, (915) 541-4656]

6B. Daniel Delahaye to the Historic Landmark Commission by Mayor John F. Cook.
[Mayor's Office, Matthew Briones, (915) 541-4656]

6C. David Stone to the Information Technology Advisory Board by Mayor John F. Cook. [Mayor's Office, Matthew Briones, (915) 541-4656]

- 6D.** Mary Lyerly to the Parks and Recreation Advisory Board by Representative Ann Morgan Lilly, District 1. [Representative Ann Morgan Lilly, (915) 541-4151]
- 6E.** R. Brooks Vandivort to the Information Technology Advisory Board by Representative Ann Morgan Lilly, District 1.
[Representative Ann Morgan Lilly, (915) 541-4151]
- 6F.** William Stafford Thurman to the Public Utility Regulation Board by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4416]
- 6G.** Selena N. Solis to the Art Museum Advisory Board by Representative Susie Byrd, District 2. [Representative Susie Byrd, (915) 541-4416]
- 6H.** Sergio Cabada to the Cable Communications Commission by Mayor Pro Tempore Beto O'Rourke, District 8. [Representative Beto O'Rourke, (915) 541-4268]
- 7. APPLICATIONS FOR TAX REFUND:** [Tax Office, Juan Sandoval, (915) 541-4369]
That the tax refunds listed on the attachment posted with this agenda be approved.
(See attachment)
- 8.** Request that the Deputy Director of Financial Services, Procurement Division be authorized to exercise the City's option to extend the term of the agreement for one (1) additional year, from December 20, 2005, through December 19, 2006, pursuant to the provisions of contract 2002-231 Automotive Glass, with Southwest Auto Glass, El Paso, Texas.
- Option No.: One [of One]
Amount of Award: \$35,000 Not to Exceed
Account No.: 37370510-45202-503125
Funding Source: Internal Service Funds
Department: General Services
[Financial Services, Ray Heredia, (915) 541-4316]
- 9. CHANGE ORDER:**
- Approve Change Order No. One (1) (Construction Change) to BXW Electrical Rebuilders, Inc. for Contract No. 2005-280, Fire Station No. 20 Driveway Improvements Project, located at 8301 Edgemere Blvd., for an increased amount of \$15,950.00. This change order adds 10 days to contract time. The purpose of this change order is to remove and relocate electrical lines under proposed concrete slab.
- The revised scheduled completion date is November 12, 2005.
[Financial Services, Byron E. Johnson, (915) 541-4308]
- 10. BEST VALUE PROCUREMENT:**
- This contract shall be awarded to the bidder who provides the best value to the City. The City may consider price and other relevant criteria listed in the request for bids.
- Solicitation No.: 2005-255 Sale & Collection of Scrap Metals at
Six Citizen Drop-Off Sites (Re-bid)
Award to: Sierra Metals, Inc.
Socorro, TX
Item(s): All
Amount: \$50,000.00 (estimated yearly)

Department: Environmental Services
 Funds available: Revenue
 Funding source: Revenue
 Total award: \$150,000.00
District (s): All

Environmental Services and Financial Services, Purchasing Division, recommend awards as indicated to Sierra Metals, Inc., who provided the highest revenue percentage of the gross sales. Sierra Metals, Inc. is responsive, meets specifications and is City's best interest.

This is a thirty-six (36) month contract with the option to extend the term of this contract for one (1) additional year. [Financial Services, Ray Heredia, (915) 541-4316]

11. BIDS:

If apparent low bidder is disqualified for any reason, City Council reserves the right to exercise any option legally available under the law by awarding bid to next lowest responsive and responsible bidder even though the bidder is not named on this agenda.

11A. Solicitation No.: 2005-238 Police Duty Gear
 Award to: Uniforms of Texas
 El Paso, TX
 Item(s): Group I (all), Group II (all), Group III (all)
 Amount: \$54,700.00 (estimated annually)

Department: Police
 Funds available: 21010060-503120
 Funding source: Uniforms & Apparel Supplies
 Total award: \$109,400.00 (estimated)
District (s): All

The Police and Financial Services-Procurement Division recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

The bid states the award to be given by Group as a result, the low bidder Southwest Law was considered non-responsive because it did not bid the requested or equal model on some of the requested items. To insure compatibility and uniformity of all items, all groups were awarded to Uniforms of Texas.

Vendor offers the City the option the to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

No prompt payment discount was offered.

This is a Requirements Type Contract with an initial term of Twenty-Four (24) months. [Financial Services, Jesus M. Juarez, (915) 541-4317]

11B. Solicitation No.: 2005-252 Northwest Service Center Fueling Station Canopy
 Location: 4096 Doniphan Dr.
 Contractor: El Paso A.R.C. Electric, Inc.
 El Paso, TX

Department: General Services
 Funds Available: 34010289-40403-505409
 Funding Source: Solid Waste Management
 (Damages-Settlements-Expense)

Items: Base Bid \$21,340.00
 Total Award: \$21,340.00
 Estimated Completion Date: December, 2005
District (s): 8

The Departments of Engineering and General Services, recommend the award of this contract to El Paso A.R.C. Electric, Inc. the lowest responsible, responsive bidder. It is requested that the City Manager be authorized to sign the referenced contract.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

[Financial Services, Byron E. Johnson, (915) 541-4308]

12. BUDGET TRANSFERS: [Office of Management and Budget, David Almonte, (915) 541-4011]

12A. BT2006-051 ENGINEERING

Engineering proposes to appropriate \$500,000 to the Building Condition Inventory. In accordance with Council recommendations of September 20, 2005 regarding CIP reprogramming of existing capital fund balances. Funding source is 1994A COs. **(All Districts)**

Decrease \$500,000 from	31114001/P50131327042/508027	Construction
Increase \$500,000 to	31114001/PMF0500227042/508016	CntrlDesign

12B. BT2006-052 ENGINEERING

Engineering proposes to appropriate \$125,000 to the Fire Facilities Master Plan. In accordance with Council recommendations of September 20, 2005 regarding CIP reprogramming of existing capital fund balances. Funding source is 1995 COs and 1997 COs. **(All Districts)**

Decrease \$94,171.20 from	31131001/P50148827061/508027	Construction
Increase \$94,171.20 to	31131001/PFI0500127061/508016	CntrlDesign
Decrease \$30,828.80 from	31134001/P50152627101/508027	Construction
Increase \$30,828.80 to	31134001/PFI0500127101/508016	CntrlDesign

12C. BT2006-054 ENGINEERING

Engineering proposes to appropriate \$100,000 to the Central Fire Station HVAC. In accordance with Council recommendations of September 20, 2005 regarding CIP reprogramming of existing capital fund balances. Funding source is 1998A COs. **(District 8)**

Decrease \$ 9,104.98 from 31135001/P50153627114/504405 OperCntgcy
 Decrease \$ 90,895.02 from 31135001/P50153627114/508027 Construction
 Increase \$100,000.00 to 31135001/PFI0600127114/508027 Construction

12D. BT2006-075 ENGINEERING

Engineering proposes to appropriate \$125,000 to the Police Facility Master Plan. In accordance with Council recommendations of September 20, 2005 regarding CIP reprogramming of existing capital fund balances. Funding source is 1998 COs. **(District 8)**

Decrease \$ 34,867.96 from 31135001/P50153627114/508027 Construction
 Decrease \$ 90,132.04 from 31135001/P50153627114/504405 OperCntgcy
 Increase \$125,000.00 to 31135001/PPD0500127114/508016 CntrctlDesign

12E. BT2006-103 AIRPORT

Transfer of funds to cover the cost of installation of security equipment for the Terminal.

Increase \$150,000 to 62620005/40101/502226 BldgFacMaint
 Increase \$150,000 to 62620005/40101/407001 IntrafndTrnsfln
 Increase \$150,000 to 62620018/P50000241021/407002 EstRevenue
 Increase \$150,000 to 62620018/P50000241021/507001 IntrafndTrnsfO

12F. BT2006-108 ENGINEERING

Engineering proposes to appropriate \$38,791 to fund installation of two school flashers. Both flashers are for Moye Elementary School. One on Dyer St. at Alps Dr. and the other on Diana Dr. at Alps Dr. Funding source is El Paso Independent School District. **(District 4)**

Increase \$38,791 to 31255005/PPW005227691/405067 ReimbExpend
 Increase \$38,791 to 31255005/PPW005227691/508027 Construction

13. APPLICATIONS FOR USE OF CITY PARKS/STREETS & SIDEWALKS:

Permission to use public streets, sidewalks or parks for special events does not constitute endorsement by the City of El Paso of the contents of any expression that takes place during these events. [Development Services, R. Alan Shubert, (915) 541-4560]

- 13A.** United American Veterans Organization to hold a Veterans Day parade on November 12, 2005 from 10:00 a.m. to 1:00 p.m. Route: Start on Myrtle at Florence, proceed on Myrtle to Kansas, turn left on Kansas to Overland, turn right on Overland to El Paso St., turn right on El Paso St. to Mills, turn right on Mills to Kansas, turn right on Kansas to Texas, turn left on Texas to Florence and disband. The review stand will be on the south side of San Jacinto Plaza facing Mills. Staging areas are on Myrtle at intersections of Ochoa, Virginia and St. Vrain. Approximately 1,500 persons, 30-40 vehicles, 5 military vehicles will take part and 2,500 spectators are anticipated. This request includes permission to use amplification (KBNA – 1 microphone and amplifier next to review stand). PERMIT # 05-160 [Ka Davis] **(District 8)**

NO OBJECTIONS FROM FIRE, SUN METRO AND PARKS. ENGINEERING DEPT., TRAFFIC DIV. HAS NO OBJECTION TO THE PROPOSED PARADE ROUTE. POLICE DEPT. WILL PROVIDE TRAFFIC CONTROL FOR THE EVENT. NOTE: PARTICIPANTS MIGHT NOT BE ABLE TO STAGE ON OCHOA, BETWEEN MYRTLE AND MAGOFFIN DUE TO ONGOING CONSTRUCTION ON MAGOFFIN. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 34 OFFICERS AND 34 VEHICLES. ESTIMATED COST TO CITY: \$639.00; ESTIMATED COST TO

APPLICANT: \$5,311.00. THE OFFICE OF DEVELOPMENT SERVICES RECOMMENDS APPROVAL

- 13B.** Benito Martinez Elementary to hold a Veterans Day Parade & Ceremony on November 10, 2005 from 9:00 a.m. to 10:00 a.m. Route: Start at Benito Martinez Elementary on Robert Wynn to Tirres, turn left on Tirres to Kristy Weaver, turn left on Kristy Weaver to Nancy McDonald, turn right on Nancy McDonald to Spencer, turn left on Spencer to Lee Blvd., turn left on Lee Blvd. to Robert Wynn, turn left on Robert Wynn and finish at the school. Approximately 1,000 persons, 5 vehicles, 6 animals will take part and 500 spectators are anticipated. PERMIT # 05-168 [Isabel Andresen] **(District 5)**

NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 6 OFFICERS AND 6 VEHICLES. ESTIMATED COST TO CITY: \$291.00; ESTIMATED COST TO APPLICANT: \$159.00. THE OFFICE OF DEVELOPMENT SERVICES RECOMMENDS APPROVAL

- 13C.** Celestina Cuellar to block off Olson between 800 and 821 on November 13, 2005 from 10:00 a.m. to 5:00 p.m. for a matachines block party. Approximately 100 persons, 25 vehicles will take part and 35 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". PERMIT # 05-167 [Celestina Cuellar] **(District 2)**

NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTION WITH THIS EVENT. THE DEPARTMENT WILL MONITOR THE EVENT AS NECESSARY WITH THE DISTRICT CAR. THERE WILL BE NO COST TO CITY OR APPLICANT. THE OFFICE OF DEVELOPMENT SERVICES RECOMMENDS APPROVAL

- 13D.** Curves to hold a Foot Walk on November 5, 2005 from 8:00 a.m. to 10:30 a.m. Route: Start at Curves in Yarbrough Shopping Center on Yarbrough, go through shopping center to Vista Del Sol, turn right on Vista Del Sol to Lomaland, turn right on Lomaland to Rojas, turn left on Rojas to Sabina Way, turn right on Sabina Way to Tinseltown parking lot, go through Tinseltown parking lot to Las Palmas Market Place and finish at the Dress Barn clothing store. Approximately 25 persons and 2 vehicles will take part.

PERMIT # 05-177 [Guadalupe Abbud] **(District 7)**

NO OBJECTIONS FROM FIRE, SUN METRO AND TRAFFIC/ENGINEERING. THE EL PASO POLICE DEPARTMENT HAS NO OBJECTIONS WITH THIS EVENT. THE DEPARTMENT WILL POLICE THE EVENT WITH 4 OFFICERS AND 4 VEHICLES. ESTIMATED COST TO CITY: \$375.00; ESTIMATED COST TO APPLICANT: \$125.00. THE OFFICE OF DEVELOPMENT SERVICES RECOMMENDS APPROVAL

REGULAR AGENDA

14. INTRODUCTION OF ORDINANCES PURSUANT TO SECTION 3.9 OF THE EL PASO CITY CHARTER:

Public comment typically is not taken during the introduction of ordinances.
Public comments are invited at the date of the scheduled public hearing.

- 14A.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.010 (Schedule I - One-Way Streets) of the El Paso Municipal Code to add a Subsection identifying Main Drive, Westbound from a point 100 feet West of Oregon Street to El Paso Street, as a One-Way Street. The penalty is provided in Section 12.84.010 of the El Paso Municipal Code. **(District 8)** [Engineering – Traffic, Ted Marquez, (915) 541-4035]

- 14B.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.180 (No Stopping or Standing - Tow-Away Zone), Paragraph (A) of the El Paso Municipal Code, by adding two new locations on Main Drive, from Oregon Street to a point 100 feet West, North Side and Main Drive from a point 100 feet West of Oregon to El Paso Street, both sides. The penalty being as provided in Section 12.88.180 of the El Paso Municipal Code. **(District 8)** [Engineering – Traffic, Ted Marquez, (915) 541-4035]
- 14C.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules) Section 12.88.060 (Schedule VI - Parking Time limited on Certain Streets), of the El Paso Municipal Code to amend Paragraph "A" to identify the parking time limited to two hours between 8:00 A.M. and 6:00 P.M., except Sundays and Legal Holidays, on Boston Avenue from Stanton Street to a point 120 feet West thereof. The penalty being as provided in Section 12.84.010 of The El Paso Municipal Code. **(District 1)**
[Engineering – Traffic, Ted Marquez, (915) 541-4035]
- 14D.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), of the El Paso Municipal Code to add subsections identifying the Speed Limit as Forty-Five miles per hour on Walter Jones Boulevard and George Perry Boulevard. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code. **(District 2)** [Engineering – Traffic, Ted Marquez, (915) 541-4035]
- 14E.** An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits) of the El Paso Municipal Code to add a subsection identifying the Speed Limit as Forty miles per hour on Founders Boulevard. The penalty is as provided in Section 12.84.010 of The El Paso Municipal Code. **(District 2)**
[Engineering – Traffic, Ted Marquez, (915) 541-4035]
- 14F.** An Ordinance amending Ordinance 8064 (the Classification and Compensation Plan) to revise Sections 2 (Classification Plan), 3 (Compensation Plan), 5 (Conditions of Employment) and 6 (Adjustment of Employee Complaints for Classification and Compensation Purposes); to update provisions to conform with recently revised Civil Service Rules Nos. 5 and 29; to streamline and clarify existing provisions and procedures covered by these sections; and to create a new procedure for resolving employee complaints pertaining to the application of this ordinance. [Human Resources, Linda Ball Thomas, (915) 541-4509]

PUBLIC HEARING WILL BE HELD ON NOVEMBER 15, 2005 FOR ITEMS 14A – 14F

- 14G.** An Ordinance changing the zoning of Lots 11 & 12, except the South 20 Feet, Block 2, Buena Vista Addition - Revised Plat, El Paso, El Paso County, Texas from C-2 (Commercial) to M-1 (Light Manufacturing). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 3494 Doniphan Drive. Applicant: Hipolito Zaldivar & Dario Rios. ZON05-00105 **(District 8)** [Planning, Christina Valles, (915) 541-4930]
- 14H.** An Ordinance changing the zoning of a portion of Section 41, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas from C-3/c (Commercial/condition) to R-5/c (Residential/condition). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 3300 Block of Saul Kleinfeld. Applicant: Camino Real Investments I, Ltd. ZON05-00086 **(District 5)**
[Planning, Christina Valles, (915) 541-4930]

- 14I.** An Ordinance granting Special Permit No. ZON05-00102, to allow for a Planned Residential Development on a portion of Section 41, Block 79, Township 2, Texas and Pacific Railroad Company Surveys, El Paso, El Paso County, Texas, pursuant to Section 20.14.040 (Zoning) of the El Paso Municipal Code. The Penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Applicant: Ranchos Real IV, Ltd. ZON05-00102 **(District 5)**
[Planning, Christina Valles, (915) 541-4930]

PUBLIC HEARING WILL BE HELD ON NOVEMBER 22, 2005 FOR ITEMS 14G – 14I

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

15. MAYOR AND COUNCIL:

- 15A.** Discussion and action regarding approval of Sales of Alcoholic Beverages at 9109 Dyer. [Representative Melina Castro, (915) 541-4400]
- 15B.** Discussion on policy considerations related to underage drinking in El Paso. Marge Bartoletti from the Rio Grande Safe Communities Coalition will present current data related to underage drinking and its impact in El Paso.
[Representative Susie Byrd, (915) 541-4416]

16. BUDGET TRANSFER: [Office of Management and Budget, David Almonte, (915) 541-4011]

BT2006-105 ENGINEERING

Engineering proposes to appropriate \$2,150,000 to Loop 375 Enhancement project. Funding source is reimbursed expenditures from TxDOT. **(District 8)**

Increase	\$2,150,000	to	31255002/PST0500705791/508027	Construction
Increase	\$2,150,000	to	31255002/PST0500705791/405067	ReimbExpend

17. CHANGE ORDER:

Approve Change Order No. 17 (Scope Change) to Byrne/Arrow Joint Venture for Contract No. 2004-015, Plaza Theatre Restoration & Expansion project for an increased amount of \$946,922.00. This Change Order will increase contract time by thirty (30) consecutive calendar days. The revised completion date for this project through this change order is January 01, 2006.

The purpose of this change order is to perform upgrades and improvements to the Philanthropy Theatre in the amount of \$930,276.00 and Donor Plates for seating both in the Plaza and the Philanthropy Theatre in the amount of \$16,646.00. These changes will be funded solely by El Paso Community Foundation: 31255001-PPW0310-27697-508027 Construction Budget.

Funding Source: 31255001-PPW0310-27697-508027
Location: 125 Pioneer Plaza
District (s): 8
[Financial Services, Byron E. Johnson, (915) 541-4308]

18. PUBLIC HEARINGS – AIRPORT:

18A. An Ordinance amending Title 14 (Aircraft and Airports), Chapter 14.16 (Airport Use Regulations) of the El Paso Municipal Code by amending Section 14.16.135, Fuel flowage fees. The penalty as provided in Chapter 1.08 of the El Paso Municipal Code. **(District 3)** [Airport, Patrick T. Abeln, (915) 780-4724]

18B. An Ordinance amending Title 14 (Aircraft and Airports), Chapter 14.24 (Commercial Air Carriers Rates and Charges), Section 14.24.020 (Applicability – compliance required) and Section 14.24.030 (Landing fees) of the El Paso Municipal Code to clarify the designation of a commercial air carrier. **(District 3)** [Airport, Patrick T. Abeln, (915) 780-4724]

19. PUBLIC HEARING – ENGINEERING, TRAFFIC:

An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), of the El Paso Municipal Code to add a subsection identifying the speed limit as Forty Miles Per Hour on Rich Beem Boulevard. The penalty is as provided in Section 12.84.010 of the El Paso Municipal Code. **(District 5)** [Engineering – Traffic, Ted Marquez, (915) 541-4035]

20. PUBLIC HEARING – MUSEUMS AND CULTURAL AFFAIRS:

An Ordinance amending Title 2 (Administration and Personnel), Chapter 2.40 (Department of Museums and Cultural Affairs), Section 2.40.010 (Department-Creation-Functions), Section 2.40.20 (Fees), to Allow Waiver and Reduction of Fees, Section 2.40.060 (Art Museum Advisory Board-Duties) to Revise the Title of Section and to add Section 2.40.070 (Cultural Affairs Advisory Board-Duties) of the El Paso City Code to specify additional duties and functions of the Department and to recreate the Cultural Affairs Advisory Board and specify its duties; and to repeal Ordinances Nos. 14880 and 15581. [Museums and Cultural Affairs, Angela Mora, (915) 541-4481]

21. PUBLIC HEARINGS – PLANNING:

21A. An Ordinance changing the zoning of a 2.7619 acre portion of Lot 1, Block 10, Newport Estates Unit Two, El Paso, El Paso County, Texas from A-O/sc (Apartment-Office/special contract) to C-1/sc (Commercial/special contract). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 2200 Block of Beachfront. Applicant: SEAB, L.P. ZON05-00085 **(District 5)** [Planning, Christina Valles, (915) 541-4930]

21B. An Ordinance granting Special Permit No. ZON05-00087, to allow for a Planned Residential Development on Loma Linda Unit Four, El Paso, El Paso County, Texas, pursuant to Section 20.14.040 (Zoning) of the El Paso Municipal Code. The penalty is as provided for in Chapter 20.68 of The El Paso Municipal Code. Subject Property: 11500 Block of Edgemere. Applicant: JNC Land Development Co. ZON05-00087 **(District 5)** [Planning, Christina Valles, (915) 541-4930]

21C. An Ordinance granting Special Permit No. ZON05-00089, to allow for a parking reduction on the property described as Lots 5 to 8, Block 17, Franklin Heights, El Paso, El Paso County, Texas, pursuant to Section 20.64.175 of the El Paso Municipal Code. The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 1208 Myrtle. Applicant: Opportunity Center for the Homeless. ZON05-00089 **(District 8)** [Planning, Christina Valles, (915) 541-4930]

- 21D.** An Ordinance granting a Special Privilege to Anne S. Burrows permitting the encroachment onto public right-of-way with a canopy located at 312-318 South El Paso Street. (Fee: \$100.00, SP-05024) **(District 8)**
[Planning, Esther Guerrero, (915) 541-4720]

22. PUBLIC HEARING – STREET:

An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.44 (Stopping, Standing and Parking Generally), Section 12.44.180B (Regulations Pertaining to Certain Special Situations) of the El Paso Municipal Code to Provide for Reserved Parking Spaces for GSA Employees and Construction Workers during such times as signs are posted by Traffic Engineering. The penalty being as provided in Section 1.08 of the El Paso Municipal Code. **(District 8)** [Street Department, Daryl W. Cole, (915) 621-6750]

23. DEVELOPMENT AND INFRASTRUCTURE SERVICES:

[Deputy City Manager, Development and Infrastructure Services, Patricia D. Adauto, (915) 541-4853]

Discussion and action on the Capital Improvement Program (CIP), including:

- 23A.** Recommended capital budget & funding option
- 23B.** Debt service requirements for financing CIP & recommended capital budget
- 23C.** Policy recommendations on use of Certificates of Obligation, General Obligation Bonds, and other debt instruments.

- 24.** The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

Section 551.071 CONSULTATION WITH ATTORNEY

Section 551.072 DELIBERATION REGARDING REAL PROPERTY

Section 551.073 DELIBERATION REGARDING PROSPECTIVE GIFTS

Section 551.074 PERSONNEL MATTERS

Section 551.076 DELIBERATION REGARDING SECURITY DEVICES

Section 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS

Discussion and action on the following:

- 24A.** Workers' Compensation Subrogation Interest Regarding Scott Wakefield Graves. (551.071) [City Attorney's Office, Jennifer F. Callan, (915) 541-4550]
POSTPONED FROM 08/16/05 AND 8/23/05

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**ADDITION TO THE AGENDA FOR
REGULAR COUNCIL MEETING, COUNCIL CHAMBERS
TUESDAY, NOVEMBER 1, 2005
9:00 A.M.**

AND

**SPECIAL COUNCIL MEETING/COUNCIL WORK SESSION
COUNCIL/STAFF QUESTION AND ANSWER SESSION
10TH FLOOR, CONFERENCE ROOM
MONDAY, OCTOBER 31, 2005
4:00 P.M.**

The following is added to the City Council Agenda of Tuesday, November 1, 2005 at 9:00 a.m.:

CONSENT AGENDA

1. BOARD APPOINTMENT: [Mayor John F. Cook, (915) 541-4145]

Arne Schonberger to the City Accessibility Advisory Board by Mayor John F. Cook.

2. The City Council of the City of El Paso may retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Chapter 551, Subchapter D, to discuss any of the following: (The items listed below are matters of the sort routinely discussed in Executive Session, but the City Council of the City of El Paso may move to Executive Session any of the items on this agenda, consistent with the terms of the Open Meetings Act.) The City Council will return to open session to take any final action and may also, at any time during the meeting, bring forward any of the following items for public discussion, as appropriate.

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Richarda Duffy Momsen, City Clerk